



CITY OF LOWELL, MASSACHUSETTS
BOARD OF HEALTH

OFFICIAL
MINUTES
ACCEPTED
10/3/18

September 5, 2018

A meeting of the Lowell Board of Health was held on Wednesday, September 5, 2018 in the Mayor's Reception Room, City Hall, 375 Merrimack St., Lowell, MA 01852. Chairwoman Jo-Ann Keegan called the meeting to order at 6:03 PM.

Present:

Jo-Ann Keegan, RN, MSN, Chairperson
John Donovan, DC, Board Member
William Galvin, MD, Board Member
Lisa Golden, RN, MSN, Board Member
Kerry Hall, MEd, Board Member

9/5/18 MINUTES

1. New Business

1.I. For Acceptance: Minutes Of The July 18, 2018 Meeting Of The Board Of Health.
The minutes of the July 18, 2018 meeting were reviewed by the Board

Motion: To accept the minutes made by Kerry Hall, seconded by Lisa Golden. All in favor.

1.II. For Review: Monthly Development Services Report Submitted By Shawn Machado, Sr. Sanitary Code Inspector.

Senior Sanitary Code Inspector Shawn Machado reviewed the report with the Board. Board Member William Galvin requested that when a restaurant fails two times within a year, that Mr. Machado review the inspections for the establishment further back than two years. Member Galvin also requested that an additional inspection be scheduled within three months of reopening for those establishments with two fails in a year's time. The Board also noted that there continues to be restaurants that are not being inspected every six months. Mr. Machado updated the Board on his efforts to correct that. Mr. Machado informed the Board of reports of rats on Acton St.

1.III. Body Art Practitioner License - New

The Board reviewed the Body Art Practitioner's License application for Kayleth Iek.

Motion: To approve the application for a Body Art Practitioner's License for Kayleth Iek was made by William Galvin, seconded by Kerry Hall. All in favor.

1.IV. For Review: Communication: Central Massachusetts Mosquito Control Program
The Board reviewed and placed on file.

1.V. For Review: Lowell Sun Article "Lowell Mosquito Spraying Set Thursday After West Nile Found In Flying Pests"
The Board reviewed and placed on file.

1.VI. For Review: Tobacco Control Monthly Report Submitted By Cesar Pungirum, Program Director.
Mr. Pungirum reviewed the report with the Board.

Chairwoman Jo-Ann Keegan inquired if Mr. Pungirum had received the date for the ticket being appealed to the District Court. Mr. Pungirum indicated that he has not received that notice yet. Member Galvin inquired how long an establishment had to pay a fine. Mr. Pungirum informed the Board that an establishment has 21 days to pay or appeal a fine.

1.VII. Tobacco Permit Suspension Hearing - Chelmsford Street Quick Mart/BP

Mr. Pungirum reviewed the evidence of the sale to a minor with the Board.

Attorney Michael Zaim was present to represent the establishment and addressed the Board regarding the sale. Board Member Kerry Hall inquired as to the difference between the first violation notice and the second violation notice. Atty. Zaim replied that the first notice went to the former Manager of the establishment who did not bring it to the owner's attention. The second violation was brought to the owner by the new Manager. Mr. Pungirum informed the Board that historically, the notifications are sent to the store and the violation cites the manager/owner. In this case, the fine for the first violation was paid and the check was signed by the owner who is responsible for oversight of the employees. The City properly sent notice to the establishment address and the Manager was the one who had signed the initial application. Member Hall inquired if the owner is the one who applies for a tobacco license. Mr. Pungirum indicated it can be the owner or an agent applying for the license. In this case the Manager was on the application as a contact person. A tobacco license is issued to the establishment not a person. The ticket has been paid and as such there is an assumption of responsibility. Member Galvin inquired as to the point of having a suspension hearing. Mr. Pungirum indicated that a request to appear before the Board can be filed prior to the fine being paid. Atty. Zaim stated that on the ticket is a choice to pay the fine or request a hearing before the Court Magistrate. The Board discussed the purpose of holding a suspension hearing. Mr. Pungirum reiterated that a hearing before the Board can be requested prior to a fine being paid. Mr. Pungirum recommends the suspension be served from start of business on September 17, 2018 to run through close of business on September 23, 2018.

Motion: by Kerry Hall to drop the violation to a first offense. No second to the motion.

Motion: to suspend the Tobacco License for 7 consecutive days from start of business on September 17, 2018 through close of business September 23, 2018 made by William Galvin, seconded by John Donovan

Jo-Ann Keegan - yes

John Donovan - yes

Lisa Golden - yes

Kerry Hall - no

William Galvin - yes

Motion passes 4 to 1 in favor.

Atty. Zaim requested a delay to the start date of the suspension to allow his client to appeal to the District Court.

Motion: to move suspension dates to September 24th to September 30 absent any action by Atty. Zaim's client made by William Galvin, seconded by John Donovan. All in favor.

Upon conferring with his client, Atty. Zaim informed the Board that his client has decided not to appeal the Board's decision and will serve the suspension from September 17 through September 23, 2018.

1.VIII. Tobacco Permit Suspension Hearing - Pete's Gulf 185 Woburn Street Lowell, MA

Mr. Pungirum reviewed the sale of tobacco products to a minor with the Board. Chairwoman Keegan inquired about past violations. Mr. Pungirum replied that the last violation was in 2007. Owner Peter Vogiatzoglou addressed the Board regarding the violation. Mr. Pungirum recommended the Tobacco Permit be suspended from start of business on September 17 through close of business on September 23, 2018.

Motion: to suspend the Tobacco license from the start of business on September 17 through the close of business on September 23, 2018 made by William Galvin, seconded by John. All in favor.

1.IX. Informational: Health Department Substance Abuse Division

Ms. Lainnie Emond was present to discuss the Substance Abuse Division with the Board. Discussion on the Divisional Grants occurred. Five of the six positions in the division are grant funded and these grants finish in 2019/2020. Member Hall inquired if the division is seeing results from their efforts. Ms. Emond indicated that results are being seen and discussed them the Board. Member Galvin asked about metrics being monitored and if there was quantifiable data of success. Ms. Emond will start adding that information to the divisional reports and will update the Board on the review of death data that is being conducted. Member Hall inquired on the needle exchange program. Ms. Emond informed the Board that Mass DPH is in the process of interviewing agencies to be the exchange site.

Ms. Emond informed the Board that the Substance Abuse Division will be holding a symposium with UTEC on December 7, 2018. Chairwoman Keegan inquired if other Health Departments or MOAPC groups will be invited. Ms. Emond replied that the Greater Lowell Health Alliance is coordinating the event and that there are currently two communities participating.

1.X. For Review: Trinity EMS, Inc Reports.

Jon Kelley informed the Board that Trinity continues to pick up 1-20 discarded needles and the City is still working on a long-term solution. Trinity has done 121 needle pickups in the past 30 days.

July 2018 Monthly Opioid Report: Mr. Kelley reviewed the report with the Board. The August 2018 report was handed out but will be included in the packet for the October 3, 2018 meeting.

Quarterly Report: The report was reviewed with the Board. Mr. Kelley informed the Board that on Page 7, the triage figure is the percentage by agency. Chairwoman Keegan inquired on the DOA data on page 6 and asked if the 37 in quarter 2 were overdose patients. Mr. Kelley replied that he didn't believe so as Trinity is usually cancelled by the Police Department in those cases. The figures are for cases that Trinity was involved with.

1.XI. For Review: "Opioids Have Sparked An HIV Outbreak In Massachusetts"
The Board reviewed the Article.

Chairwoman Keegan noted to ask Health & Human Services Director Kerran Vigroux about increasing HIV testing. Member Galvin informed the Board that doctors do certain testing automatically but other tests need patient permission to conduct so HIV testing is not really at the discretion of Emergency Department doctors to do. Member Lisa Golden added that the patient would also need to be located to give them the results. Member Hall felt that it wouldn't hurt for local physicians to be notified. Chairwoman Keegan asked if there has been any discussion on increasing HIV testing. Member Galvin replied that information regarding the increase in HIV cases has not reached hospital level and he was only aware of the increase from Chairwoman Keegan. Chairwoman Keegan inquired if the hospitals and private doctors have been notified of the increase in HIV cases.

Motion: for the Board to receive the results of the CDC report regarding the increase in HIV cases and any recommendations or implementations that are occurring made by William Galvin, seconded by John Donovan. All in favor.

1.XII. For Review: "HIV Spike In Lowell Addicts Higher Than First Reported"
The Board reviewed and placed on file.

2. OLD BUSINESS

2.I. Update: Lowell Public School Repairs

Mr. James Green was present and updated the Board about ongoing repairs. The ground water in the basement of Lowell High School has been repaired. The recheck of CO2 levels had good results with all classrooms being in the 800-1000parts range. DPH will retest if requested.

Motion: To request DPW Commissioner James Donison attend the October Board meeting to update the Board on ongoing school repairs made by Jo-Ann Keegan, seconded by Lisa Golden. All in favor.

2.II. For Review: Draft Letter of Support Re: Natural Gas Pipelines Health Assessment Testing

3. DIRECTOR'S REPORT

3.I. Update: Divisional and Department Reports and Updates.

The Board reviewed and placed on file. Chairwoman Keegan inquired on the status of the new vaccine refrigerator and was informed it has been received.

4. ADJOURNMENT

4. Motion: To Adjourn.

Motion to adjourn at 8:10 PM made by William Galvin, seconded by John Donovan. All in favor.

**THE NEXT MEETING OF THE CITY OF LOWELL BOARD OF HEALTH WILL BE HELD ON
OCTOBER 3, 2018 AT 6:00 PM IN THE MAYOR'S RECEPTION ROOM.**

NAME	ADDRESS	Establishment
Peter Vegetoglia	185 Waborn St	Pete's grill.
Michael G. Baum, Esquire - for Chalmers St. Civil Court (BP)	299 Chalmers St	
ZAMIAN RM - 375 Cornhill Street - Lowell, MA 01852		Lowell, MA

**Lowell Board of Health Hearing
September 5, 2018**

HANDOUT
9-5-18

Purpose:

The purpose of this hearing is for the Board to consider the suspension of the Tobacco Product Sales Permit issued to Chelmsford Street Quick Mart/BP, 299 Chelmsford St, for a period of seven (7) consecutive business days.

Rule:

Pursuant to the Lowell Board of Health regulation *Restricting the Sale of Tobacco Products*, a retailer that sells tobacco to a minor for a second time within 24 months shall receive a fine in the amount of \$200 “and the Tobacco Product Sales Permit shall be suspended for seven (7) consecutive business days.”

Summary of the Facts:

Chelmsford Street Quick Mart/BP sold a pack of Marlboro cigarettes to a 17-year-old boy on 6/18/18, during routine compliance checks conducted by the Lowell Tobacco Control Program. This was the establishment’s second offense in the last two years; a previous violation had occurred on 08/09/17.

Board’s Decision:

HANDOUT
9-5-18

CHELMSFORD STREET QUICK MART/BP

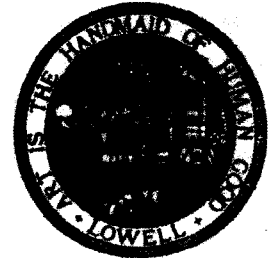
1. Notice of Violation – June 21, 2018
2. Hearing Notice – August 9, 2018
3. 2018 Tobacco Product Sales Permit
4. Violation Notice to Samer Khoury – August 10, 2017
5. 2017 Tobacco Sales Product Permit
6. Regulation of the Lowell Board of Health
Restricting the Sale of Tobacco Products and
Nicotine Delivery Products
7. 2017 Annual Report
8. 2018 Annual Report

EXHIBIT 1



CITY OF LOWELL
HEALTH DEPARTMENT
TOBACCO CONTROL PROGRAM

341 Pine Street
Lowell, MA 01851
Phone: (978) 674-1073
Fax: (978) 970-4011



June 21, 2018

Chelmsford Street Quick Mart/BP
299 Chelmsford Street
Lowell, MA 01851

Mailed: 06/21/18
Certified # 7002 0510 0002 0831 6018

Re: Sale of Tobacco to a Minor

NOTICE OF VIOLATION - SECOND OFFENSE

Dear Manager/Owner:

As you are aware, a minor was sold tobacco at your establishment during routine compliance checks conducted by the Lowell Tobacco Control Program on 06/18/18. The Sale of tobacco products to anyone younger than eighteen (18) years of age violates state law (M.G.L. c. 270 s. 6) and the sale of tobacco to anyone younger than twenty-one (21) violates the *Lowell Board of Health Regulations Restricting the Sale of Tobacco Products*.

The penalty for a second offense within the last twenty-four (24) months is a fine in the amount of two hundred dollars (\$200.00) and the suspension of the Tobacco and Nicotine Delivery Product Sales Permit for seven (7) consecutive business days.

You have twenty-one (21) days from the date of the violation to either pay the enclosed fine or contest this matter according with the instructions on the enclosed ticket. You'll be notified of the date and time of the permit suspension hearing by certified mail. Failure to take action may also result in the suspension of your tobacco permit.

Please take the necessary steps to ensure that all persons working at your establishment follow the proper procedure for selling tobacco products. If you have any questions I can be reached at (978) 674-1073.

Sincerely,

Cesar Pungirum, MM, JD
Tobacco Program Director

FOR TELEPHONE INQUIRIES CALL 978-970-4010

CITY ORDINANCES		2595
CITY OF LOWELL VIOLATION		
NAME OF VIOLATOR:		
JOHNNY KAYROVZ		
STREET		
299 CHELMSFORD ST.		
CITY/TOWN:		ZIP:
Lowell MA		01851
VIOLATION DATE:		TIME:
06/18/18		2:55 PM
VIOLATION LOCATION:		
CHELMSFORD STREET QUICK MART/BP		

I HEREBY ACKNOWLEDGE RECEIPT OF THE FOREGOING CITATION

☒ UNABLE TO OBTAIN SIGNATURE OF OFFENDER

DATE MAILED: 06/21/18

VIOLATION: SALE OF TOBACCO TO A MINOR

- PURSUANT TO BOH REGULATION RESTRICTING

THE SALE OF TOBACCO PRODUCTS-D.L.G.

FINE: \$200.00

COMMENTS:

INSPECTOR C. PINGIRUM

YOU HAVE THE FOLLOWING ALTERNATIVES IN THIS MATTER

☐ I choose to pay the above fine WITHIN 21 DAYS OF THE DATE OF THIS NOTICE. I have enclosed a check or money order payable to the City of Lowell in this envelope. An authorized person may bring this ticket and payment to the City of Lowell Health Department, 341 Pine Street, Lowell, MA 01851 between the hours of 8am to 5pm Monday through Friday.

☐ I desire to contest this matter, I request a noncriminal hearing, before Trial Court. I am enclosing a copy of this citation, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE TO:

CITY OF LOWELL
HEALTH DEPARTMENT
341 PINE STREET
LOWELL, MA 01851

SIGNATURE:

WHITE COPY-HEALTH DEPT CANARY - COURT MANILLA OFFENDER

EXHIBIT 2



Michael Zaim <zaimlawfirm@gmail.com>

Chelmsford Street Quick Mart/BP: HEARING NOTIFICATION

Pungirum, Cesar <cpungirum@lowellma.gov>
To: Michael Zaim <zaimlawfirm@gmail.com>

Thu, Aug 9, 2018 at 9:51 AM

Attorney Zaim,

Attached you'll find a copy of a hearing notification letter mailed out to your above-referenced client, today.

Cesar Pungirum MM, JD | *Tobacco Control Director*
The City of Lowell
Health Department, 341 Pine Street | Lowell, MA 01851
t: 978.674.1073 | f: 978.970.4011

<http://www.lowellma.gov>

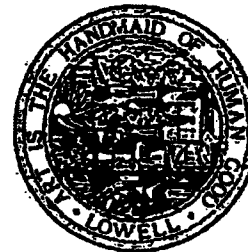
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 **HEAR NOTIF_CHELM ST QUICK MART.pdf**
218K



**CITY OF LOWELL
HEALTH DEPARTMENT
TOBACCO CONTROL PROGRAM**

341 Pine Street
Lowell, MA 01851
Phone: (978) 674-1073
Fax: (978) 970-4011



August 9, 2018

Chelmsford Street Quick Mart/BP
Att. Johnny Kayrouz
299 Chelmsford Street
Lowell, MA 01851

Mailed: 08/09/18
Certified # 7002 0510 0002 0831 5820

HEARING NOTICE

Dear Mr. Kayrouz:

As you are aware, a minor was sold tobacco at your establishment during routine compliance checks conducted by the Lowell Tobacco Control Program on June 18, 2018. The Sale of tobacco products to anyone younger than eighteen (18) years of age violates state law (M.G.L. c. 270 s. 6) and the sale of tobacco products to anyone younger than twenty-one (21) years of age violates the *Regulation of the Lowell Board of Health Restricting the Sale of Tobacco Products*.

Since this violation was the second offense within the last twenty-four (24) months, the Lowell Board of Health intends to suspend your Tobacco Product Sales Permit for seven (7) consecutive business days, in accordance with its aforementioned regulation.

Therefore, you're hereby notified that a hearing will be held on Wednesday, September 5, 2018 at 6:00 PM in the Mayor's Reception Room, City Hall, 2nd Floor, 375 Merrimack St, Lowell, MA 01852. Your presence is expected and you'll have an opportunity to be heard before the Board makes its decision.

If you have any questions I can be reached at (978) 674-1073.

Sincerely,

Cesar Pungirum, MM, JD
Tobacco Control Director

EXHIBIT 3

NUMBER
TC - 101 - 2018

FEE
\$125.00

THE COMMONWEALTH OF MASSACHUSETTS

City of Lowell

This is to Certify that Chelmsford Street Quick Mart

299 Chelmsford Street Lowell, MA 01851

IS HEREBY GRANTED A TOBACCO PRODUCT SALES PERMIT

for the sale of tobacco products

This permit is granted in conformity with the Tobacco regulations/ ordinances relating thereto, and expires December 31, 2018 unless sooner suspended or revoked.

21-Dec-17

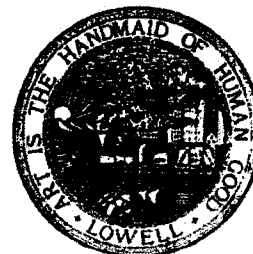
BOARD
OF
HEALTH

EXHIBIT 4



CITY OF LOWELL
HEALTH DEPARTMENT
TOBACCO CONTROL PROGRAM

341 Pine Street
Lowell, MA 01851
Phone: (978) 674-1073
Fax: (978) 970-4011



August 10, 2017

Chelmsford Street Quick Mart-BP
Attn. Samer Khoury
299 Chelmsford Street
Lowell, MA 01851

Mailed: 08/10/17
Certified # 7002 0510 0002 0831 6315

Re: 1) Sale of Tobacco to a Minor

NOTICE OF VIOLATION

Dear Manager/Owner:

A minor was sold tobacco at your establishment during routine compliance checks conducted by the Lowell Tobacco Control Program on August 9, 2017. The Sale of tobacco products to anyone younger than eighteen (18) years of age violates state law (M.G.L. c. 270 s. 6) and the sale to anyone younger than twenty-one (21) years of age violates *Lowell Board of Health Regulations Restricting the Sale of Tobacco Products*.

The penalty for a first offense within the last twenty-four (24) months is a fine in the amount of one hundred dollars (\$100.00) per violation. You have twenty-one (21) days from the date of the violation to either pay the fine or contest this matter according with the instructions on the ticket enclosed with this letter. Failure to take action may result in the suspension of your tobacco permit.

The penalties for subsequent violations within twenty-four (24) months of this offense will range from two hundred dollars (\$200.00) to three hundred dollars (\$300.00) and will also include suspension of your tobacco permit.

Please take the necessary steps to ensure that all persons working at your establishment follow the proper procedure for selling tobacco products. If you have any questions I can be reached at the number above.

Sincerely,

Cesar Pungirum, MM, JD
Director, Tobacco Control Program

7002 0510 0002 0831 6315

(Transfer from service label)

2. Article Number

3. Service Type	
<input checked="" type="checkbox"/> Certified Mail	<input type="checkbox"/> Express Mail
<input type="checkbox"/> Registered	<input type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Insured Mail	<input type="checkbox"/> C.O.D.
4. Restricted Delivery? (Extra Fee)	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

1. Article Addressed to:
- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
 - Print your name and address on the reverse so that we can return the card to you.
 - Attach this card to the back of the mailpiece, or on the front if space permits.

A. Signature *X Down Dec 2*

B. Received by (Printed Name) *Down Dec 2*

C. Date of Delivery *5/14/17*

D. Is delivery address different from item 1? ☐ Yes ☐ No

E. If YES, enter delivery address below:

SENDER'S USE ONLY (NEVER WRITE IN THIS SECTION)

U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only, No Insurance Coverage Provided)	
7002 0510 0002 0831 6315	
<p>CHLSTON ST. ST. 01851</p> <p>CHLSTON ST. ST. 01851</p> <p>CHLSTON ST. ST. 01851</p>	
<p>Postage \$</p> <p>Certified Fee \$</p> <p>Return Receipt Fee \$</p> <p>Restricted Delivery Fee \$</p> <p>Total Postage & Fees \$</p>	
<p>Signature <i>8/14/17</i></p> <p>Date <i>8/14/17</i></p>	

FOR TELEPHONE INQUIRIES CALL 978-970-4010

CITY ORDINANCES		2591
CITY OF LOWELL VIOLATION		
NAME OF VIOLATOR:		
SAMER KHOURY		
STREET		
299 CHELMSFORD ST.		
CITY/TOWN:		ZIP:
LOWELL MA		01851
VIOLATION DATE:		TIME:
08/09/17		1:32 PM
VIOLATION LOCATION:		
CHELMSFORD ST. QUICK MART. BP		

I HEREBY ACKNOWLEDGE RECEIPT OF THE FOREGOING CITATION

☒ UNABLE TO OBTAIN SIGNATURE OF OFFENDER

DATE MAILED: 08/10/17

VIOLATION: SALE OF TOBACCO TO A MINOR
IN VIOLATION TO BOTH REGULATION RESTRICTING
THE SALE OF TOBACCO PRODUCTS D-1, A, Q

FINE: \$100.00

COMMENTS:

INSPECTOR: P. L. MORGAN

YOU HAVE THE FOLLOWING ALTERNATIVES IN THIS MATTER

☐ I choose to pay the above fine WITHIN 21 DAYS OF THE DATE OF THIS NOTICE. I have enclosed a check or money order payable to the City of Lowell in this envelope. An authorized person may bring this ticket and payment to the City of Lowell Health Department, 341 Pine Street, Lowell, MA 01851 between the hours of 8am to 5pm Monday through Friday.

☐ I desire to contest this matter, I request a noncriminal hearing, before Trial Court. I am enclosing a copy of this citation, WITHIN 21 DAYS OF THE DATE OF THIS NOTICE TO:

CITY OF LOWELL
HEALTH DEPARTMENT
341 PINE STREET
LOWELL, MA 01851

SIGNATURE: _____

WHITE COPY-HEALTH DEPT CANARY - COURT MANILLA OFFENDER

3470

51-7218/2211

DATE 8/17/2017

\$ 100.00

DOLLARS

Chelmsford Street Quick Mart Inc.
299 Chelmsford St
Lowell, MA 01851

PAY TO THE ORDER OF

CITY OF LOWELL

ONE HUNDRED U.S.D. ONLY

People's United Bank

FOR

1100347011 12211721851 650032029

USPS Tracking®

[FAQs > \(http://faq.usps.com/?articleId=220900\)](http://faq.usps.com/?articleId=220900)**Track Another Package +****Tracking Number:** 70020510000208316315

Remove X

Your item was delivered to an individual at the address at 9:11 am on August 14, 2017 in LOWELL, MA 01851.

Delivered

August 14, 2017 at 9:11 am
Delivered, Left with Individual
LOWELL, MA 01851

Tracking History

Product Information

See Less ^

Can't find what you're looking for?

Go to our FAQs section to find answers to your tracking questions.

FAQs (<http://faq.usps.com/?articleId=220900>)

EXHIBIT 5

NUMBER

TC - 121 - 2017

FEE

\$125.00

THE COMMONWEALTH OF MASSACHUSETTS

City of Lowell

This is to Certify that Chelmsford Street Quick Mart

299 Chelmsford Street Lowell, MA 01851

IS HEREBY GRANTED A TOBACCO PRODUCT SALES PERMIT

for the sale of tobacco products

This permit is granted in conformity with the Tobacco regulations/ ordinances relating thereto, and expires December 31, 2017 unless sooner suspended or revoked.

15-Mar-17

John Keegan
John D. H.
(m)

BOARD
OF
HEALTH

EXHIBIT 6

Regulation of the Lowell Board of Health Restricting the Sale of Tobacco Products and Nicotine Delivery Products

A. Statement of Purpose:

Whereas there exists conclusive evidence that tobacco smoking causes cancer, respiratory and cardiac diseases, negative birth outcomes, irritations to the eyes, nose and throat¹;

Whereas among the 15.7% of students nationwide who currently smoke cigarettes and were less than 18 years old, 14.1% usually obtained them by buying them in a store (i.e. convenience store, supermarket, or discount store) or gas station²;

Whereas nationally in 2009, 72% of high school smokers and 66% of middle school smokers were not asked to show proof of age when purchasing cigarettes³;

Whereas the U.S. Department of Health and Human Services has concluded that nicotine is as addictive as cocaine or heroin⁴;

Whereas despite state laws prohibiting the sale of tobacco products to minors, access by minors to tobacco products is a major public health problem;

Whereas many non-cigarette tobacco products, such as cigars and cigarillos, can be sold in a single "dose," enjoy a relatively low tax as compared to cigarettes; are available in fruit, candy and alcohol flavors; and are popular among youth⁵;

Whereas according to the CDC's youth risk behavior surveillance system, the percentage of high school students in Massachusetts who reported the use of cigars within the past 30 days went from 11.8% in 2003 to 14.9% in 2009⁶;

¹ Center for Disease Control and Prevention, (CDC) (2012), *Health Effects of Cigarette Smoking Fact Sheet*. Retrieved from: http://www.cdc.gov/tobacco/data_statistics/fact_sheets/health_effects/effects_cig_smoking/index.htm.

² CDC (2009), *Youth Risk Behavior, Surveillance Summaries* (Morbidity and Mortality Weekly Report (MMWR) 2010: 59, 11 (No. SS-55)) Retrieved from: <http://www.cdc.gov/HealthyYouth/yrbs/index.htm>.

³ CDC Office of Smoking and Health, *National Youth Tobacco Survey, 2009*. Analysis by the American Lung Association (ALA), Research and Program Services Division using SPSS software, as reported in "Trends in Tobacco Use", ALA Research and Program Services, Epidemiology and Statistics Unit, July 2011. Retrieved from: www.lung.org/finding-cures/our-research/trend-reports/Tobacco-Trend-Report.pdf.

⁴ CDC (2010), *How Tobacco Smoke Causes Disease: The Biology and Behavioral Basis for Smoking-Attributable Disease*. Retrieved from: http://www.cdc.gov/tobacco/data_statistics/sgr/2010/.

⁵ CDC (2009), *Youth Risk Behavior, Surveillance Summaries* (MMWR 2010: 59, 12, note 5). Retrieved from: <http://www.cdc.gov/mmwr/pdf/ss/ss5905.pdf>.

⁶ CDC (2009) *Youth Risk Behavior, Surveillance Summaries* (MMWR 2010: 59, 72 (No. SS-55)). Retrieved from: www.cdc.gov; and CDC (2003), *Youth Risk Behavior, Surveillance Summaries* (MMWR 2004: 53, 54 (No. SS-02)).

Whereas survey results show that more youth report that they have smoked a cigar product when it is mentioned by name, than report that they smoked a cigar in general, indicating that cigar use among youth is underreported⁷;

Whereas in Massachusetts, youth use of all other tobacco products, including cigars, rose from 13.3% in 2003 to 17.6% in 2009, and was higher than the rate of current cigarette use (16%) for the first time in history⁸;

Whereas research shows that increased cigar prices significantly decreased the probability of male adolescent cigar use and a 10% increase in cigar prices would reduce use by 3.4%⁹;

Whereas nicotine levels in cigars are generally much higher than nicotine levels in cigarettes¹⁰;

Whereas Non-Residential Roll-Your-Own (RYO) machines located in retail stores enable retailers to sell cigarettes without paying the excise taxes that are imposed on conventionally manufactured cigarettes. High excise taxes encourage adult smokers to quit¹¹ and high prices deter youth from starting.¹² Inexpensive cigarettes, like those produced from RYO machines, promote the use of tobacco, resulting in a negative impact on public health and increased health care costs, and severely undercut the evidence-based public health benefit of imposing high excise taxes on tobacco;

Whereas it is estimated that 90% of what is being sold as pipe tobacco is actually being used in Non-Residential RYO machines. Pipe tobacco shipments went from 11.5 million pounds in 2009 to 22.4 million pounds in 2010. Traditional RYO tobacco shipments dropped from 11.2 million pounds to 5.8 million pounds; and cigarette shipments dropped from 308.6 billion sticks to 292.7 billion sticks according to the December 2010 statistical report released by the U.S. Department of the Treasury, Alcohol and Tobacco Tax and Trade Bureau (TTB)¹³;

Whereas the sale of tobacco products and nicotine delivery products are incompatible with the mission of health care institutions because these products are detrimental to the public health and their presence in health care

⁷ 2010 Boston Youth Risk Behavior Study. 16.5% of Boston youth responded that they had ever smoked a fruit or candy flavored cigar, cigarillo or little cigar, while 24.1% reported ever smoking a "Black and Mild" Cigar.

⁸ Commonwealth of Massachusetts, Data Brief, Trends in Youth Tobacco Use in Massachusetts, 1993-2009. Retrieved from: http://www.mass.gov/Eeohhs2/docs/dph/tobacco_control/adolescent_tobacco_use_youth_trends_1993_2009.pdf.

⁹ Ringel, J., Wasserman, J., & Andreyeva, T. (2005) *Effects of Public Policy on Adolescents' Cigar Use: Evidence from the National Youth Tobacco Survey*. American Journal of Public Health, 95(6), 995-998, doi: 10.2105/AJPH.2003.030411 and cited in *Cigar, Cigarillo and Little Cigar Use among Canadian Youth: Are We Underestimating the Magnitude of this Problem?*, J. Prim. P. 2011, Aug: 32(3-4):161-70. Retrieved from: www.ncbi.nlm.nih.gov/pubmed/21809109.

¹⁰ National Institute of Health (NIH), National Cancer Institute (NCI) (2010). *Cigar Smoking and Cancer*. Retrieved from: <http://www.cancer.gov/bcancertopics/factsheet/Tobacco/cigars>.

¹¹ Eriksen, M., Mackay, J., Ross, H. (2012). *The Tobacco Atlas*, Fourth Edition, American Cancer Society, Chapter 29, p. 80. Retrieved from: www.TobaccoAtlas.org.

¹² Chaloupka, F. J. & Liccardo Pacula, R., NIH, NCI (2001). *The Impact of Price on Youth Tobacco Use, Smoking and Tobacco Control Monograph 14: Changing Adolescent Smoking Prevalence* 193 – 200. Retrieved from: <http://dcccps.nih.gov/TCRB/monographs/>.

¹³ TTB (2011). *Statistical Report – Tobacco* (2011) (TTB S 5210-12-2010). Retrieved from: <http://www.ttb.gov/statistics/2010/201012tobacco.pdf>.

institutions undermine efforts to educate patients on the safe and effective use of medication, including cessation medication;

Whereas educational institutions sell tobacco products to a younger population, who is particularly at risk for becoming smokers and such sale of tobacco products and nicotine delivery products are incompatible with the mission of educational institutions that educate a younger population about social, environmental and health risks and harms;

Now, therefore it is the intention of the Lowell Board of Health to regulate the sale of tobacco products and nicotine delivery products.

B. Authority:

This regulation is promulgated pursuant to the authority granted to the Lowell Board of Health by Massachusetts General Laws Chapter 111, Section 31 that "Boards of Health may make reasonable health regulations".

C. Definitions:

For the purpose of this regulation, the following words shall have the following meanings:

Blunt Wrap: Any tobacco product manufactured or packaged as a wrap or as a hollow tube made wholly or in part from tobacco that is designed or intended to be filled by the consumer with loose tobacco or other fillers.

Business Agent: An individual who has been designated by the owner or operator of any establishment to be the manager or otherwise in charge of said establishment.

Cigar: Any roll of tobacco that is wrapped in leaf tobacco or in any substance containing tobacco with or without a tip or mouthpiece not otherwise defined as a cigarette under Massachusetts General Law, Chapter 64C, Section 1, Paragraph 1.

E-Cigarette: Any electronic nicotine or substitute delivery product composed of a mouthpiece, heating element, battery and/or electronic circuits that provides a vapor of liquid nicotine or substitute to the user, or relies on vaporization of solid nicotine or substitute or any liquid. This term shall include such devices whether they are manufactured as e-cigarettes, e-cigars, e-pipes, e-hookahs or under any other product name.

Educational Institution: Any public or private college, school, professional school, scientific or technical institution, university or other institution furnishing a program of higher education.

Employee: Any individual who performs services for an employer.

Employer: Any individual, partnership, association, corporation, trust or other organized group of individuals that uses the services of one (1) or more employees.

Health Care Institution: An individual, partnership, association, corporation or trust or any person or group of persons that provides health care services and employs health care providers licensed, or subject to licensing, by the Massachusetts Department of Public Health under M.G.L. c. 112 or a retail establishment that provides pharmaceutical goods and services and is subject to the provisions of 247 CMR 6.00. Health care institutions include, but are not limited to, hospitals, clinics, health centers, pharmacies, drug stores, doctor offices and dentist offices.

Minor: Any individual who is under the age of eighteen (18).

Nicotine Delivery Product: Any manufactured article or product made wholly or in part of a tobacco substitute or containing nicotine that is expected or intended for human consumption, but not including a product approved by the United States Food and Drug Administration for sale as a tobacco use cessation or harm reduction product or for other medical purposes and which is being marketed and sold solely for that approved purpose. Nicotine delivery products include, but are not limited to, e-cigarettes, e-cigars, e-hookahs and similar products.

Non-Residential Roll-Your-Own (RYO) Machine: A mechanical device made available for use (including to an individual who produces cigars, cigarettes, smokeless tobacco, pipe tobacco, or roll-your-own tobacco solely for the individual's own personal consumption or use) that is capable of making cigarettes, cigars or other tobacco products. RYO machines located in private homes used for solely personal consumption are not Non-Residential RYO machines.

Permit Holder: Any person engaged in the sale or distribution of tobacco or nicotine delivery products directly to consumers who applies for and receives a tobacco and nicotine delivery product sales permit or any person who is required to apply for a Tobacco and Nicotine Delivery Product Sales Permit pursuant to these regulations, or his or her business agent.

Retail Tobacco Store: An establishment that is not required to possess a retail food permit whose primary purpose is to sell or offer for sale to consumers, but not for resale, tobacco products and tobacco paraphernalia, in which the sale of other products is merely incidental, and in which the entry of persons under the age of 18 is prohibited at all times, and maintains a valid permit for the retail sale of tobacco products as required to be issued by the Lowell Board of Health.

Self-Service Display: Any display from which customers may select a tobacco product or a nicotine delivery product without assistance from an employee or store personnel.

Tobacco Product: Cigarettes, cigars, chewing tobacco, pipe tobacco, bidis, snuff or tobacco in any of its forms.

Vending Machine: Any automated or mechanical self-service device, which upon insertion of money, tokens or any other form of payment, dispenses or makes cigarettes, any other tobacco product or nicotine delivery product.

D. Tobacco and Nicotine Delivery Product Sales to Minors Prohibited:

1. No person shall sell tobacco or nicotine delivery products or permit tobacco or nicotine delivery products to be sold to a minor; or not being the minor's parent or legal guardian, give tobacco or nicotine delivery products to a minor.

2. Required Signage

- a. In conformance with and in addition to Massachusetts General Law, Chapter 270, Section 7, a copy of Massachusetts General Laws, Chapter 270, Section 6, shall be posted conspicuously by the owner or other person in charge thereof in the shop or other place used to sell tobacco products at retail. The notice shall be provided by the Massachusetts Department of Public Health and made available from the Lowell Board of Health. The notice shall be at least 48 square inches and shall be posted conspicuously by the permit holder in the retail establishment or other place in such a manner so that it may be readily seen by a person standing at or approaching the cash register. The notice shall directly face the purchaser and shall not be obstructed from view or placed at a height of less than 4 feet or greater than 9 feet from the floor. The owner or other person in charge of a shop or other place used to sell tobacco products at retail shall conspicuously post any additional signs required by the Massachusetts Department of Public Health.
- b. The owner or other person in charge of a shop or other place used to sell tobacco products at retail shall conspicuously post signage provided by the Lowell Board of Health that discloses current referral information about smoking cessation.
- c. The owner or other person in charge of a shop or other place used to sell nicotine delivery products at retail shall conspicuously post a sign stating "The sale of nicotine delivery products to minors under 18 years of age is prohibited." The owner or other person in charge of a shop or other place used to sell e-cigarettes at retail shall conspicuously post a sign stating, "The use of e-cigarettes at indoor establishments may be prohibited by local law." The notices shall be no smaller than 8.5" by 11" and shall be posted conspicuously in the retail establishment or other place in such a manner so that they may be readily seen by a person standing at, or approaching the cash register. These notices shall directly face the purchaser and shall not be obstructed from view or placed at a height of less than 4 or greater than 9 feet from the floor.

3. Identification: Each person selling or distributing tobacco or nicotine delivery products shall verify the age of the purchaser by means of a valid government-issued photographic identification containing the bearer's date of birth that the purchaser is 18 years old or older. Verification is required for any person under the age of 27.

4. All retail sales of tobacco or nicotine delivery products must be face-to-face between the seller and the buyer and occur at the permitted location, except as provided in Section(s) J and K.

E. Tobacco and Nicotine Delivery Product Sales Permit:

1. No person shall sell or otherwise distribute tobacco or nicotine delivery products at retail establishments within the City of Lowell without first obtaining a Tobacco and Nicotine Delivery Product Sales Permit issued annually by the Lowell Board of Health. Only owners of establishments with a permanent, non-mobile

location in Lowell are eligible to apply for a permit and sell tobacco products or nicotine delivery products at the specified location in Lowell.

2. As part of the Tobacco and Nicotine Delivery Product Sales Permit application process, the applicant will be provided with the Lowell Board of Health regulation. Each applicant is required to sign a statement declaring that the applicant has read said regulation and that the applicant is responsible for instructing any and all employees who will be responsible for tobacco and nicotine delivery product sales regarding federal, state and local laws regarding the sale of tobacco and this regulation.

3. Each applicant who sells tobacco is required to provide proof of a current tobacco sales license issued by the Massachusetts Department of Revenue before a Tobacco and Nicotine Delivery Product Sales Permit can be issued.

4. The fee for a Tobacco and Nicotine Delivery Product Sales Permit shall be determined by the Lowell Board of Health annually. All such permits shall be renewed annually by January 1st.

5. A separate permit is required for each retail establishment selling tobacco and/or nicotine delivery products.

6. Each Tobacco and Nicotine Delivery Product Sales Permit shall be displayed at the retail establishment in a conspicuous place.

7. No Tobacco and Nicotine Delivery Product Sales Permit holder shall allow any employee to sell tobacco products or nicotine delivery products until such employee reads this regulation and federal and state laws regarding the sale of tobacco and signs a statement, a copy of which will be placed on file in the office of the employer, that he/she has read the regulation and applicable state and federal laws and will abide by them. This statement must be kept on file for inspection by City agents on demand.

8. A Tobacco and Nicotine Delivery Product Sales Permit is non-transferable. A new owner of an establishment that sells tobacco or nicotine delivery products must apply for a new permit. No new permit will be issued unless and until all outstanding penalties incurred by the previous permit holder are satisfied in full.

9. Issuance of a Tobacco and Nicotine Delivery Product Sales Permit shall be conditioned on an applicant's consent to unannounced, periodic inspections of his/her retail establishment to ensure compliance with this regulation.

10. A Tobacco and Nicotine Delivery Product Sales Permit will not be renewed if the permit holder has failed to pay all fines issued and the time period to appeal the fines has expired and/or has not satisfied any outstanding permit suspensions.

F. Cigar Sales Regulated:

1. No retailer, retail establishment, or other individual or entity shall sell or distribute or cause to be sold or distributed a cigar unless the cigar is contained in an original package of at least four (4) cigars. The original

package of at least four (4) cigars shall be sold at the market retail price or at five dollars (\$5.00) whichever price is higher.

2. This Section shall not apply to:

- a. The sale or distribution of any cigar having a retail price of two dollars and fifty cents (\$2.50) or more.
- b. A person or entity engaged in the business of selling or distributing cigars for commercial purposes to another person or entity engaged in the business of selling or distributing cigars for commercial purposes with the intent to sell or distribute outside the boundaries of Lowell.
- c. Retail Tobacco Stores.

3. The Lowell Board of Health may adjust from time to time the amounts specified in this Section to reflect changes in the applicable Consumer Price Index by amendment of this regulation.

G. Prohibition of the Sale of Blunt Wraps:

No person or entity shall sell or distribute blunt wraps in Lowell.

H. Free Distribution and Coupon Redemption:

No person shall distribute, or cause to be distributed, any free samples of tobacco products or nicotine delivery products. No means, instruments or devices that allow for the redemption of all tobacco products or nicotine delivery products for free or cigarettes at a price below the minimum retail price determined by the Massachusetts Department of Revenue shall be accepted by any permit holder.

I. Out-of-Package Sales:

The sale or distribution of tobacco products in any form other than an original factory-wrapped package is prohibited. No person may sell or cause to be sold or distribute or cause to be distributed any cigarette package that contains fewer than twenty (20) cigarettes, including single cigarettes.

J. Self-Service Displays:

All self-service displays of tobacco products and/or nicotine delivery products are prohibited. All humidors including, but not limited to, walk-in humidors must be locked. The only self-service displays that are permissible pursuant to U.S. FDA and Massachusetts Attorney General regulations are displays that are located in Retail Tobacco Stores that ensure that no person younger than eighteen (18) years is present, or permitted to enter, at any time. For the purpose of this section, entering means crossing the threshold of a door or entryway.

K. Vending Machines:

All tobacco and/or nicotine delivery product vending machines are prohibited. The only vending machines that are permissible pursuant to U.S. FDA and Massachusetts Attorney General regulations are machines equipped with lock-out devices, located in facilities that ensure that no person younger than eighteen (18) years is present, or permitted to enter at any time, and that hold valid pouring liquor licenses. A lock-out device locks out sales from the vending machine unless a release mechanism is triggered by an employee. The release mechanism must not allow continuous operation of the vending machine and must be out of the reach of all consumers and in a location accessible only to employees. Any vending machine which dispenses tobacco, or tobacco products therefrom, shall not also dispense any non-tobacco products from the same machine.

L. Non-Residential Roll-Your-Own Machines:

All Non-Residential Roll-Your-Own machines are prohibited.

M. Prohibition of the Sale of Tobacco and Nicotine Delivery Products by Health Care Institutions:

No health care institution located in Lowell shall sell or cause to be sold tobacco or nicotine delivery products. No retail establishment that operates or has a health care institution within it, such as a pharmacy or drug store, shall sell or cause to be sold tobacco products or nicotine delivery products.

N. Prohibition of the Sale of Tobacco and Nicotine Delivery Products by Educational Institutions:

No educational institution located in Lowell shall sell or cause to be sold tobacco or nicotine delivery products. This includes all educational institutions as well as any retail establishments that operate on the property of an educational institution.

O. Violations:

1. It shall be the responsibility of the establishment, permit holder and/or his or her business agent to ensure compliance with all sections of this regulation pertaining to his or her distribution of tobacco and/or nicotine delivery products. The violator shall receive:

- a. In the case of a first violation, a fine of one hundred dollars (\$100.00).
- b. In the case of a second violation within 24 months of the date of the current violation, a fine of two hundred dollars (\$200.00) and the Tobacco and Nicotine Delivery Product Sales Permit shall be suspended for seven (7) consecutive business days.

- c. In the case of three or more violations within a 24-month period, a fine of three hundred dollars (\$300.00) and the Tobacco and Nicotine Delivery Product Sales Permit shall be suspended for thirty (30) consecutive business days.
2. Refusal to cooperate with inspections pursuant to this regulation shall result in the suspension of the Tobacco and Nicotine Delivery Product Sales Permit for thirty (30) consecutive business days.
3. In addition to the monetary fines set above, any permit holder who engages in the sale or distribution of tobacco or nicotine delivery products directly to a consumer while his or her permit is suspended shall be subject to the suspension of all Board of Health issued permits for thirty (30) consecutive business days.
4. The Lowell Board of Health shall provide notice of the intent to suspend a Tobacco and Nicotine Delivery Product Sales Permit, which notice shall contain the reasons therefor and establish a time and date for a hearing which date shall be no earlier than seven (7) days after the date of said notice. The permit holder or its business agent shall have an opportunity to be heard at such hearing and shall be notified of the Board of Health's decision and the reasons therefore in writing. After a hearing, the Lowell Board of Health shall suspend the Tobacco and Nicotine Delivery Product Sales Permit if the Board of Health finds that a violation of this regulation occurred. For purposes of such suspensions, the Board shall make the determination notwithstanding any separate criminal or non-criminal proceedings brought in court hereunder or under the Massachusetts General Laws for the same offense. All tobacco products and nicotine delivery products shall be removed from the retail establishment upon suspension of the Tobacco and Nicotine Delivery Product Sales Permit. Failure to remove all tobacco and nicotine delivery products shall constitute a separate violation of this regulation.

P. Non-Criminal Disposition:

Whoever violates any provision of this regulation may be penalized by the non-criminal method of disposition as provided in Massachusetts General Laws, Chapter 40, Section 21D or by filing a criminal complaint at the appropriate venue.

Each day any violation exists shall be deemed to be a separate offense.

Q. Enforcement:

Enforcement of this regulation shall be by the Lowell Board of Health or its designated agent(s).

Any resident who desires to register a complaint pursuant to the regulation may do so by contacting the Lowell Board of Health or its designated agent(s) and the Board shall investigate.

R. Severability:

If any provision of these regulations is declared invalid or unenforceable, the other provisions shall not be affected thereby but shall continue in full force and effect.

S. Revocation:

The Board of Health of the City of Lowell, by enactment of these rules and regulations restricting the sale of tobacco products and nicotine delivery products, revokes and cancels, in their entirety, any previous rules and regulations pertaining to tobacco use, sale and advertising adopted by said Lowell Board of Health.

T. Adoption and Effective Dates:

This regulation was adopted on 12/24/13 and it shall take effect on January 1, 2014.

1. JoAnn Keegan
JoAnn Keegan, RN, MSN, Chairperson

2. John Donovan
John Donovan, DC

3. Kerry A. Hall
Kerry A. Hall, MEd

4. _____
Paulette Renault-Caragianes, RN, MPA

5. _____
William J. Galvin, III, MD

A True Copy Attest

/s/ Donna M. Cox

Donna M. Cox

Secretary to the Lowell Board of Health

EXHIBIT 7



The Commonwealth of Massachusetts
William Francis Galvin

Minimum Fee: \$100.00

Secretary of the Commonwealth, Corporations Division
 One Ashburton Place, 17th floor
 Boston, MA 02108-1512
 Telephone: (617) 727-9640

Annual Report

(General Laws, Chapter 156D, Section 16.22; 950 CMR 113.57)

Identification Number: 043197880

1. Exact name of the corporation: CHELMSFORD STREET QUICK MART INC.

2. Jurisdiction of Incorporation: State: MA Country:

3,4. Street address of the corporation registered office in the commonwealth and the name of the registered agent at that office:

Name: TANNOUS KAYROUZ
 No. and Street: 309 CHELMSFORD ST.
 City or Town: LOWELL State: MA Zip: 01851 Country: USA

5. Street address of the corporation's principal office:

No. and Street: 309 CHELMSFORD ST.
 City or Town: LOWELL State: MA Zip: 01851 Country: USA

6. Provide the name and addresses of the corporation's board of directors and its president, treasurer, secretary, and if different, its chief executive officer and chief financial officer.

Title	Individual Name First, Middle, Last, Suffix	Address (no PO Box) Address, City or Town, State, Zip Code
PRESIDENT	JOHNNY KAYROUZ	179 NORTH STREET UPTON, MA 01568 USA
TREASURER	JOHNNY KAYROUZ	179 NORTH STREET UPTON, MA 01568 USA
SECRETARY	JOHNNY KAYROUZ	179 NORTH STREET UPTON, MA 01568 USA
DIRECTOR	JOHNNY KAYROUZ	179 NORTH STREET UPTON, MA 01568 USA

7. Briefly describe the business of the corporation:

CONVENIENCE STORE RETAIL SALES

8. Capital stock of each class and series:

Class of Stock	Par Value Per Share Enter 0 if no Par	Total Authorized by Articles of Organization or Amendments <i>Num of Shares</i>	<i>Total Par Value</i>	Total Issued and Outstanding <i>Num of Shares</i>
CNP	\$0.00000	1,000	\$0.00	1,000

9. Check here if the stock of the corporation is publicly traded: ☐

10. Report is filed for fiscal year ending: 12/31/ 2016

Signed by JOHNNY KAYROUZ, its PRESIDENT
on this 2 Day of March, 2017

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EXHIBIT 8



The Commonwealth of Massachusetts
William Francis Galvin

Minimum Fee: \$100.00

Secretary of the Commonwealth, Corporations Division
 One Ashburton Place, 17th floor
 Boston, MA 02108-1512
 Telephone: (617) 727-9640

Annual Report

(General Laws, Chapter 156D, Section 16.22; 950 CMR 113.57)

Identification Number: 0431978801. Exact name of the corporation: CHELMSFORD STREET QUICK MART INC.2. Jurisdiction of Incorporation: State: MA Country:

3,4. Street address of the corporation registered office in the commonwealth and the name of the registered agent at that office:

Name: TANNOUS KAYROUZ
 No. and Street: 309 CHELMSFORD ST.
 City or Town: LOWELL State: MA Zip: 01851 Country: USA

5. Street address of the corporation's principal office:

No. and Street: 309 CHELMSFORD ST.
 City or Town: LOWELL State: MA Zip: 01851 Country: USA

6. Provide the name and addresses of the corporation's board of directors and its president, treasurer, secretary, and if different, its chief executive officer and chief financial officer.

Title	Individual Name First, Middle, Last, Suffix	Address (no PO Box) Address, City or Town, State, Zip Code
PRESIDENT	JOHNNY KAYROUZ	179 NORTH STREET UPTON, MA 01568 USA
TREASURER	JOHNNY KAYROUZ	179 NORTH STREET UPTON, MA 01568 USA
SECRETARY	JOHNNY KAYROUZ	179 NORTH STREET UPTON, MA 01568 USA
DIRECTOR	JOHNNY KAYROUZ	179 NORTH STREET UPTON, MA 01568 USA

7. Briefly describe the business of the corporation:

CONVENIENCE STORE RETAIL SALES

8. Capital stock of each class and series:

Class of Stock	Par Value Per Share Enter 0 if no Par	Total Authorized by Articles of Organization or Amendments		Total Issued and Outstanding Num of Shares
		Num of Shares	Total Par Value	
CNP	\$0.00000	1,000	\$0.00	1,000

9. Check here if the stock of the corporation is publicly traded: ☐

10. Report is filed for fiscal year ending: 12/31/ 2017

Signed by JOHNNY KAYROUZ , its PRESIDENT
on this 5 Day of March, 2018

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**Lowell Board of Health Hearing
September 5, 2018**

Handout
9-5-18

Purpose:

The purpose of this hearing is for the Board to consider the suspension of the Tobacco Product Sales Permit issued to Pete's Gulf, 185 Woburn St, for a period of seven (7) consecutive business days.

Rule:

Pursuant to the Lowell Board of Health regulation *Restricting the Sale of Tobacco Products*, a retailer that sells tobacco to a minor for a second time within 24 months shall receive a fine in the amount of \$200 "and the Tobacco Product Sales Permit shall be suspended for seven (7) consecutive business days."

Summary of the Facts:

Pete's Gulf sold a pack of Marlboro cigarettes to a 17-year-old boy on 6/18/18, during routine compliance checks conducted by the Lowell Tobacco Control Program. This was the establishment's second offense in the last two years; a previous violation had occurred on 06/17/17.

Board's Decision:

Substance Abuse & Prevention Division

City of Lowell Department: Health Department

P: 978-674-4304 | F: 978-446-7100

Handout
9-5-18

Lainnie Emond, LMHC
LEmond@lowellma.gov
978-674-1065
Substance Abuse Coordinator, Manager

Vacant
Partnership For Success (PFS)
Coordinator

Michael Hall, M.Ed
MHall@lowellma.gov
978-674-1067
MOAPC Coordinator

Maricia Verma
Mverma@lowellma.gov
978-856-1260
Lowell CO-OP Supervisor

Position Highlights

Substance Abuse Coordinator

- ❖ Promotes prevention efforts and educates the community
- ❖ Encourages support and collaboration between community partners working towards similar goals
- ❖ Facilitates Data Subcommittee of the Mayor's Opioid Task Force
- ❖ Acts as "information hub" for substance abuse-related efforts in Lowell and state-wide

PFS Coordinator

- ❖ Coordinator Educates youth focused organizations and parents on the dangers of the misuse of prescription drugs
- ❖ Holds monthly Coalition meetings with community partners, LHS staff, and LHS students

MOAPC Coordinator

- ❖ Helps to facilitate prevention efforts with seven towns/cities in Greater Lowell
 - ❖ Certified Life Skills Training (LST) trainer,
- ❖ Works with community partners to implement sustainable harm reduction activities

Lowell CO-OP Supervisor

- ❖ Oversees day-to-day operations CO-OP
- ❖ Manages multiple tracking systems
- ❖ Engages in weekly outreach with CO-OP

Clinical Recovery Specialist

- ❖ Follows clients through the treatment spectrum to avoid "gaps"
- ❖ Completes clinical intakes for CO-OP clients

Kylee Simao
KSimao@lowellma.gov
978-856-1260
Clinical Recovery Specialist

Vacant
Clinical Recovery Specialist

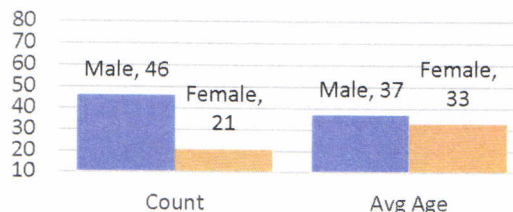
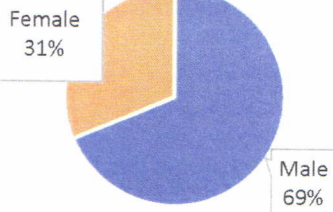
Other Lowell CO-OP Agencies:
Lowell Fire Department
Lowell House
Lowell Police
Trinity EMS
Vinfen



Categorized Opiate Report: Aug-18 Lowell, MA

Priority of patient

Priority 1	26
Priority 2	23
Priority 3	18



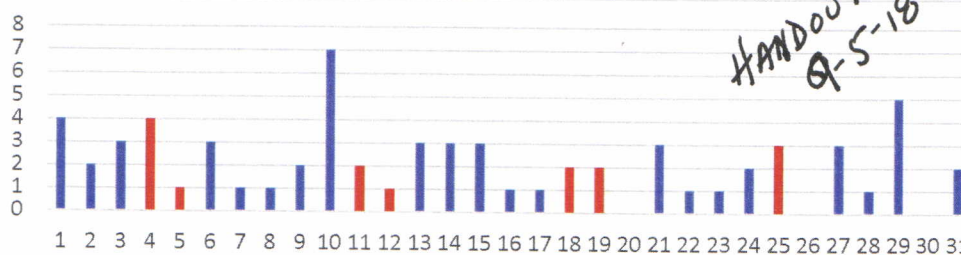
Age

12 and U	0
13-15	0
16-17	0
18-21	2

Day of the week:	#	Avg
Mon	9	1.8
Tue	8	2.0
Wed	14	2.8
Thu	6	1.2
Fri	15	3.0
Sat	11	2.8
Sun	4	1.0

Day of the month:

Red are weekends (below)



Hour of the day:	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23
	3	2	0	0	2	0	1	0	2	4	3	4	3	3	3	1	7	7	4	4	1	3	6	4

Location of patient	#	Narcan used by:	Narcan doses
Private Residence	15	Lowell FD 5 Lowell PD 7	7 2mg doses
Public Location- Inside	6	Trinity ALS 1 Trinity BLS 7	9 4mg doses
Public Location- Outside	44	LGH ALS 2 Other 5	2 6mg doses
Residential Instituion	2	Park Ranger 1	3 8mg doses

Neighborhood	Acre 4 Back Central 17 Centraville 5 Downtown 16 Highlands 6
	Lw Blv 6 Lw Highlands 6 Pawtucketville 5 Sacred Heart 1 South Lowell 1

Home town of pt	Lowell 43, Lawrence 3, Marlborough, Dracut, Chelmsford, Billerica, Hudson each with 2. Rehoboth, Boston, Westford, Nashua each with 1. 7 blank
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Last 12 months All ORI calls

	17-Sep	17-Oct	17-Nov	17-Dec	18-Jan	18-Feb	18-Mar	18-Apr	18-May	18-Jun	18-Jul	18-Aug
Total	88	60	47	57	56	68	66	56	59	68	99	67
Avg	2.9	1.9	1.6	1.8	1.8	2.4	2.1	1.9	2.0	2.3	3.2	2.2

Last 12 months Priority 1 only

	17-Sep	17-Oct	17-Nov	17-Dec	18-Jan	18-Feb	18-Mar	18-Apr	18-May	18-Jun	18-Jul	18-Aug
Total	51	32	26	32	28	37	44	30	34	38	51	26
Avg	1.7	1.0	0.9	1.0	0.9	1.3	1.4	1.0	1.1	1.3	1.6	0.8

ORI - daily average

Priority 1 only- daily average

	Q1	Q2	Q3	Q4	Yr avg	Q1	Q2	Q3	Q4	Yr avg
2013	0.7	1.2	1.1	0.6	0.9	2013	0.3	0.4	0.5	0.3
2014	0.8	1.4	1.6	1.4	1.3	2014	0.3	0.6	0.8	0.7
2015	1.4	1.7	1.9	1.4	1.6	2015	0.8	0.7	0.9	0.8
2016	1.7	1.6	2.0	2.3	1.9	2016	1.0	1.0	0.9	1.3
2017	2.0	2.3	2.8	1.8	2.2	2017	1.2	1.4	1.6	1.3
2018	2.1	2	2.5			2018	1.2	1.1	1.2	